

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUNPENG YANG,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, *et al.*,

Defendants.

CASE NO. C18-809RSL

STIPULATION AND ORDER TO
LIFT STAY AND TO ALLOW
PLAINTIFF TO FILE AN
AMENDED COMPLAINT

STIPULATION

Plaintiff filed his Complaint on June 11, 2018. Dkt. #1. On August 29, 2018, Plaintiff filed an Amended Complaint (Dkt. # 9) that added additional claims and parties. On June 18, 2019, the Court granted defendants' motion to remand the case, remanded the case, and ordered defendants to adjudicate plaintiff's naturalization application within 14 days of remand. (Dkt. #27). USCIS then adjudicated and denied plaintiff's naturalization application on July 2, 2019. Plaintiff appealed the decision. As of August 10, 2020, USCIS had not decided the appeal and plaintiff filed a Motion to Lift the Stay

1 and lodged a proposed Second Amended Complaint. (Dkt.# 30, 32) By letter decision
 2 dated the following day, August 11, 2020, USCIS denied plaintiff's appeal.
 3

4 Therefore, the parties hereby stipulate and agree that the stay in this case can be
 5 lifted. The parties further stipulate and agree that within seven days of the lifting of the
 6 stay, plaintiff will file a Second Amended Complaint alleging only a claim for judicial
 7 review under 8 U.S.C. § 1421(c). The Second Amended Complaint will not include as
 8 defendants United States Customs and Immigration Enforcement ("ICE") or Ronald
 9 Vitiello (or his successor). The remaining defendants will answer or otherwise respond
 10 to the Second Amended Complaint within twenty-eight days of the filing of the Second
 11 Amended Complaint.
 12
 13

14 Stipulated to and presented this 18th day of August, 2020.
 15

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Counsel for Defendants

ORDER

The parties having stipulated and agreed, it is hereby so ORDERED. The Clerk of the Court is hereby directed to strike the Motion to Lift Stay (Dkt. #30) as moot in light of the foregoing stipulation and to lift the stay. Plaintiff will file a Second Amended Complaint within seven days of the lifting of the stay and defendants shall answer or otherwise respond to the Second Amended Complaint within twenty-eight days of the filing of the Second Amended Complaint.

DATED this 20th day of August, 2020.

A handwritten signature in black ink, appearing to read "R S Lasnik", written over a horizontal line.

Robert S. Lasnik
United States District Judge